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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/595,962

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EXAMINER

KHAN, MEHMOOD B

ART UNIT

PAPER NUMBER

2617

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/595,962	Applicant(s) BRAAM ET AL.	
	Examiner MEHMOOD B. KHAN	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 21 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>5/22/06 & 6/21/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 9, 10, 15 and 16 rejected under 35 U.S.C. 102(b) as being anticipated by Naddell et al. (US 5,613,213 herein Naddell).

Claim 9, Naddell discloses a mobile communication terminal operatively coupled to at least two mobile radio communication systems in respectively associated mobile radio networks each of which provides a user of the communication terminal with a number of services of different type (**Fig. 1: 108, 101, 102, Fig. 2: 208, 209, where Naddell discloses a mobile phone in communication with two different networks offering different services**), Naddell discloses parts for receiving data records that are respectively associated with a type of the service available in the networks (**Col 2: 14-23, where Naddell discloses sending information to a mobile regarding services from different radio communication systems**); Naddell discloses a processor for processing the data records to identify the types of services available (**Col 3: 41-48, Fig. 2: 201, where Naddell discloses a controller and processing of indicators**).

Claim 10, Naddell discloses wherein services of the same type which are repeatedly provided by the mobile radio networks are respectively stored using the data

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records in the communication terminal in the form of a list of service types (**Fig. 2: 205, 207, 208, 209, where Naddell discloses a memory, table, systems and services**).

Claim 15, Naddell discloses a communication system, comprising: at least one mobile communication terminal operatively coupled to at least two mobile radio communication systems in respectively associated mobile radio networks (**Fig. 1: 108, 101, 102, Fig. 2: 208, 209, where Naddell discloses a mobile phone in communication with two different networks offering different services**), Naddell discloses each of which provides a user of the communication terminal with data records associated with a number of services of different types (**Col 2: 14-23, where Naddell discloses sending information to a mobile regarding services from different radio communication systems**); Naddell discloses parts in the mobile communication terminal for receiving the data records (**Col 2: 14-23, where Naddell discloses sending information to a mobile regarding services from different radio communication systems**); Naddell discloses a processor located in the mobile communication terminal for processing the data records to identify the types of services available (**Col 3: 41-48, Fig. 2: 201, where Naddell discloses a controller and processing of indicators**).

Claim 16, Naddell discloses wherein the data records contain information which allows the associated services to be assessed by the user (**Col 2: 12-21, where Naddell discloses information decoded to display the services to a user**).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Naddell in view of Seppanen et al. (US 5,903,832 herein Seppanen).

Claim 11, Naddell does not explicitly disclose wherein entries in the list of service types have different priority.

In an analogous art, Seppanen discloses wherein entries in the list of service types have different priority **(Col 4: 2-4, where Seppanen discloses selecting networks from a prioritized list)**. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Naddell to prioritize networks with services as taught Seppanen so as to allow the user to select from a prioritized list **(Col 3: 49-50)**.

Claim 12, Naddell does not explicitly disclose wherein an assessment criterion is defined for the priority.

In an analogous art, Seppanen discloses wherein an assessment criterion is defined for the priority **(Col 4: 5-9, where Seppanen discloses different priorities of different networks)**. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Naddell to prioritize networks with

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services as taught Seppanen so as to allow the user to select from a prioritized list (**Col 3: 49-50**).

Claim 13, Naddell does not explicitly disclose wherein the assessment criterion is user-defined.

In an analogous art, Seppanen discloses wherein the assessment criterion is user-defined (**Col 4: 15-20, where Seppanen discloses programming priority**).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Naddell to prioritize networks with services as taught Seppanen so as to allow the user to select from a prioritized list (**Col 3: 49-50**).

Claim 14, Naddell discloses wherein the list can be shown on a display device on the communication terminal (**Abstract, where Naddell discloses displaying on a display**), Naddell discloses selection means are provided for selecting a service of a desired service type from the list (**Fig. 3: 301, 306, where Naddell discloses choosing of a system**).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MEHMOOD B. KHAN whose telephone number is (571)272-9277. The examiner can normally be reached on Monday - Friday 8:30 am - 5:00 pm. If attempts to reach the examiner by telephone are unsuccessful, the

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examiner's supervisor, Lester Kincaid can be reached on 571-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mehmood B. Khan/
Examiner, Art Unit 2617

/Lester Kincaid/
Supervisory Patent Examiner, Art Unit 2617